

REMARKS

Receipt is acknowledged of the Final Office Action of July 27, 2004. Claims 1, 2, 4-8 are currently pending in the application, Claim 3 having been cancelled by the present amendment. Claims 1-8 have been rejected in the Office Action. Applicants respectfully disagree with the Examiner and request reconsideration of the rejection, as explained in more detail below.

Claims 1-8 were rejected by the Examiner under 35 U.S.C. 103(a) as allegedly being unpatentable over U.S. Patent No. 2,794,085 ("De Angelis") in view of U.S. Patent No. 3,853,393 ("Fila") and, further, in view of U.S. Patent No. 6,629,076 ("Haken"). According to the Examiner, De Angelis, Fila and Haken disclose the method claimed in the present application. Applicants respectfully disagree with the Examiner and direct his attention to the specification and amended claims of the present application.

As described in the present specification and claimed in the amended claims, the invention is a method of manufacturing eyewear including the steps of molding a frame, molding a temple, co-molding components of an apparatus in the temple, co-molding a wireless radio frequency transceiver for short-distance wireless communication in the eyewear, forming a connector by erecting a male connector portion projecting from either the frame or the temple, providing a female connector portion corresponding to the male portion; and removably connecting the frame with the temple by removably inserting the male connector portion into the female connector portion, and securing the male connector portion within the female connector portion, such that this insertion both releasably attaches the temple to the frame and establishes an electrical connection between the frame and the temple. (see amended Claim 1).

De Angelis discloses an eyewear having a frame 12 and temples 14 and 16. The electrical connection between the frame and the temples is accomplished by blades 26 inserted into the receiving recesses 50. In contrast to the claimed invention, however, temples 14 and 16 are permanently attached to the frame 12 by the hinge 28 having a pintle 29 inserted into its barrels. (See e.g., Fig. 3). Therefore, the electrical connector of the eyewear disclosed in De Angelis does not removably connect the frame with the temple by removably inserting the male connector portion into the female connector portion, and securing the male connector portion within the female connector portion, such that this insertion both releasably attaches the temple to the frame and establishes an electrical connection between the frame and the temple, as required by the currently amended Claim 1. Additionally, De Angelis does not teach co-molding a wireless radio frequency transceiver for short-distance wireless communication in the disclosed eyewear.

Fila et al. teaches an injection-molded hearing aid formed as an eyeglass temple. Fila does not disclose an electrical connector removably connecting the frame with the temple by removably inserting the male connector portion into the female connector portion, and securing the male connector portion within the female connector portion, such that this insertion both releasably attaches the temple to the frame and establishes an electrical connection between the frame and the temple, as required by the currently amended Claim 1. Additionally, Fila does not teach co-molding a wireless radio frequency transceiver for short-distance wireless communication in the disclosed eyewear.

Haken discloses a pair of speech aiding eyeglasses 10 which are hard-wired via cable 30 to a separate wireless communication device 34 which, in turn, communicates with another wireless device 34. Thus, the wireless communication device 34, rather than the

eyeglasses, comprises the transceiver. Therefore, it is the wireless communication device 34, rather than the eyeglasses, that creates an ad hoc network and communicates with the other wireless device. Contrary to the Examiner's statements, Haken does not teach co-molding a wireless radio frequency transceiver for short-distance wireless communication in the disclosed eyewear because its wireless transceiver is clearly embedded in the communication device 34. Additionally, the eyewear disclosed in Haken does not have an electrical connector removably connecting the frame with the temple by removably inserting the male connector portion into the female connector portion, and securing the male connector portion within the female connector portion, such that this insertion both releasably attaches the temple to the frame and establishes an electrical connection between the frame and the temple, as required by the currently amended Claim 1.

Thus, the method of manufacturing eyewear of the present invention contrasts sharply with the prior art methods disclosed in De Angelis, Fila and Haken.

Thus, the limitations of independent Claims 1 requiring co-molding of the transceiver into the eyewear and "removably connecting said frame with said temple using said connector by removably inserting said male connector portion into said female connector portion, and securing said male connector portion within said female connector portion, such that the insertion of said male connector portion into said female connector portion both releasably attaches said temple to said frame and establishes an electrical connection between said frame and said temple" are not met by the cited prior art references. Claim 1 is believed to be patentable over the prior art of record. Applicants respectfully submit that dependent Claims 2 and 4-8 are believed to define patentable subject matter in view of their dependency upon allowable Claim 1 and, further, on their own merits.

Based on the above, it is believed that the rejection of Claims 2 and 4-8 should be withdrawn. Claims 2 and 4-8 are believed to be in a condition for allowance, which action is respectfully requested.

The Examiner has objected to the specification. Applicants corrected the informalities in the specification to comply with MPEP 608.01 and other cited sections. Specifically, the URL addresses used in the specification no longer contain any browser-executable code, use of the trademark BLUETOOTH corrected, and the length of the abstract shortened. A corrected specification and its marked-up version are attached hereto. The Examiner also objected to the use of the trademark BLUETOOTH in the claims. Applicants has removed the trademark from the claims.

The Examiner is urged to telephone Applicant's undersigned counsel if it will advance the prosecution of this application. The Patent and Trademark Office is authorized to charge any fees required for the entry of this Response, including fees for an extension of time, and any further fees that are properly assessable in this case, or to credit any overpayment, to Deposit Account No. 50-0675, Order No. 881987-0017. In the event that an extension of time is needed for entry of this Response that is not otherwise provided for, such extension of time is hereby respectfully requested.

Respectfully submitted,

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